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12/12/2023

Corporation Served

Document ID - 23-SMOS-4507; Served To - THE SQUARE LLC; Server - ; Served Date - 06-DEC-23; Served Time - 00:00:00;

Service Type - Special Process Server; Reason Description - Served

Affidavit Special Process Serv

affidavit of service

12/04/2023

Return Service - Other

Document ID - 23-SMOS-4131; Served To - THE SQUARE LLC; Server - ; Served Date - 04-DEC-23; Served Time - 00:00:00;

Service Type - Special Process Server; Reason Description - Other

Summons Returned Non-Est

Document ID - 23-SMOS-4128; Served To - AMER, KARIM; Server - ; Served Date - 04-DEC-23; Served Time - 00:00:00; Service Type - Special Process Server; Reason Description - Non-est

Summons Returned Non-Est

Document ID - 23-SMOS-4127; Served To - NOJAIME, JEHANE; Server - ; Served Date - 04-DEC-23; Served Time - 00:00:00;

Service Type - Special Process Server; Reason Description - Non-est

Summons Personally Served

Document ID - 23-SMOS-4132; Served To - CONSTANTINO, ISABELLA; Server - ; Served Date - 04-DEC-23; Served Time - 00:00:00; Service Type - Special Process Server; Reason Description - Served

Affidavit Special Process Serv

affidavit

12/01/2023

Alias Summons Issued

Document ID: 23-SMOS-4507, for THE SQUARE LLC.

Alias Summons Issued

Document ID: 23-SMOS-4506, for AMER, KARIM.

Alias Summons Issued

Document ID: 23-SMOS-4505, for NOJAIME, JEHANE.

Request Filed

REQUEST FOR ALIAS SUMMONS ON DEFENDANTS JEHANE NOJAIME, KARIM AMER, AND THE SQUARE LLC

Filed By: MARC BRANDAN ELLIOT

11/29/2023

Affidavit Filed

AFFIDAVIT OF SERVICE RETURN ON ISABELLA CONSTANTINO Filed By: MARC BRANDAN ELLIOT



Affidavit Filed

Case 1:24-cv-07879-JPC-KHP Document 1-1 Filed 12/15/23 Page 2 of 65

AFFIDAVIT OF NON SERVICE/ BAD ADDRESS ON DEFENDANT JEHANE NOJAIM

Filed By: MARC BRANDAN ELLIOT

Affidavit Filed

AFFIDAVIT OF SERVICE ON DEFENDANT THE SQUARE LLC

Filed By: MARC BRANDAN ELLIOT

Affidavit Filed

AFFIDAVIT OF NON SERVICE RETURN ON DEFENDANT KARIM AMER

Filed By: MARC BRANDAN ELLIOT

11/27/2023

Corporation Served

Document ID - 23-SMOS-4129; Served To - THE OTHRS LLC; Server -; Served Date - 27-NOV-23; Served Time - 00:00:00;

Service Type - Other; Reason Description - Served

Corporation Served

Document ID - 23-SMOS-4130; Served To - THE OTHRS LICENSING CORP; Server - ; Served Date - 27-NOV-23; Served Time -

00:00:00; Service Type - Other; Reason Description - Served

Notice of Service

2322-CC09423

Notice of Service

notice of service

11/17/2023

Summons Personally Served

Document ID - 23-SMOS-4126; Served To - HBO HOME ENTERTAINMENT CORP; Server - ; Served Date - 15-NOV-23; Served Time - 14:45:00; Service Type - Special Process Server; Reason Description - Served; Service Text - ROBIN HUTT BANKS MANAGING AGENT

11/08/2023

Jury Trial Scheduled

Scheduled For: 04/22/2024; 9:00 AM; ELIZABETH BYRNE HOGAN; City of St. Louis

11/02/2023

Correspondence Filed

A LETTER MAILED TO PLAINTIFF WITH 2 COPIES OF SUMMONS AND A COPY OF PETITION TO SEND TO NEW CASTLE COUNTY, DE, THE COUNTY OF NEW YORK, NY, MIAMI-DADE COUNTY, FL, BROOKLYN COUNTY, NY, AND ERIE COUNTY, NY FOR SERVICE ON DEFENDANTS

Summ Issd- Circ Pers Serv O/S

Document ID: 23-SMOS-4132, for CONSTANTINO, ISABELLA.

Summ Issd- Circ Pers Serv O/S

Document ID: 23-SMOS-4131, for THE SQUARE LLC.

Summ Issd- Circ Pers Serv O/S

Document ID: 23-SMOS-4130, for THE OTHRS LICENSING CORP.

Summ Issd-Circ Pers Serv O/S

Document ID: 23-SMOS-4129, for THE OTHRS LLC.

Summ Issd- Circ Pers Serv O/S

Document ID: 23-SMOS-4128, for AMER, KARIM.

Summ Issd- Circ Pers Serv O/S

Document ID: 23-SMOS-4127, for NOJAIME, JEHANE.

Summ Issd- Circ Pers Serv O/S

Document ID: 23-SMOS-4126, for HBO HOME ENTERTAINMENT CORP.

Judge/Clerk - Note
SUMMONS NOTHSSUED ONDEFEDERANTPJOHODOBATEIN QUE TO NOTADORESS/QUEN PRIGO/B FILING
INFORMATION SHEET FOR SERVICE

10/31/2023

Confid Filing Info Sheet Filed
Filed By: MARC BRANDAN ELLIOT
Pet Filed in Circuit Ct

Filed By: MARC BRANDAN ELLIOT Judge Assigned

MISSOURI CIRCUIT COURT TWENTY-SECOND JUDICIAL CIRCUIT (City of St. Louis)

Carrillado

) Chark
)
) COMPLAINT FOR DAMAGES
) Case No. 2322-CC09423
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COMPLAINT

Plaintiff Marc Elliot, pro se, files this COMPLAINT and alleges as follows:

JURISDICTION AND VENUE

1. Jurisdiction and venue are proper and lie with Court pursuant to Mo. Rev. Stat. § 508.010.

PARTIES

- 2. Plaintiff Marc Elliot is a resident of Missouri and was at all times relevant to this Complaint. Plaintiff Marc Elliot currently resides at 5655 Pershing Ave, Apt 529, St. Louis, MO 63112.
- 3. Defendant HBO Home Entertainment (HBO) is a Delaware corporation. HBO broadcast

 The Vow for commercial gain. Upon information and belief the Defendant HBO's

- registered agent is The Corporation Trust Company located at Corporation Trust Center 1209 Orange St, Wilmington, DE 19801.
- 4. Defendant Jehane Noujaim, upon information and belief, is a resident of New York.
 Noujaim is a coproducer and director of *The Vow*. Noujaim "personally directed most of Part II's episodes herself." See Sam Adams, *The Vow*'s Co-Creator on Why It Was Never Just a "Sex Cult" Documentary, Slate, November 21, 2022,
 https://slate.com/culture/2022/11/vow-nxivm-keith-raniere-season-2-finale.html. Upon information and belief the Defendant Jehane Noujaim lives at 14 E. 4th, Unit 1107, New York, 10002.
- 5. Defendant Karim Amer, upon information and belief is a resident of New York. Amer is a coproducer and director of *The Vow*. Upon information and belief the Defendant Karim Amer lives at 14 E. 4th, Unit 1107, New York, 10002.
- 6. Noujaim and Amer were spouses at all times relevant to this Complaint.
- 7. Defendant The Othrs LLC (a Florida limited liability company) controlled by Defendants Noujaim and Amer created specifically to facilitate the filming and distribution of rights to *The Vow* for commercial gain. Upon information and belief the Defendant The Othrs LLC's registered agent is Lee J. Osiason and is located at 201 Alhambra Circle, Suite 1205, c/o Lee J. Osiason, Coral Gables, FL 33134.
- 8. Defendant The Othrs Licensing Corp. (a Florida corporation) controlled by Defendants Noujaim and Amer created specifically to facilitate the filming and distribution of rights to *The Vow* for commercial gain. Upon information and belief the Defendant The Othrs Licensing Corp's registered agent is Lee J. Osiason and is located at 201 Alhambra Circle, Suite 1205, c/o Lee J. Osiason, Coral Gables, FL 33134

- 9. Defendant The Square, LLC (a New York limited liability company) is controlled by Defendants Noujaim and Amer and is listed as the "Producer" in Release Agreement.
 Upon information and belief the Defendant The Square, LLC's registered agent is Lisa
 Wisely and is located at 160 Van Brunt St., Third FL, Brooklyn, NY 11231
- 10. Defendant Isabella Constantino is a New York resident. Upon information and belief the Defendant Isabella Constantino lives at 625 Lafayette Ave, Buffalo, NY 14222.
- 11. Defendant John Does 1-10 are unknown to the Plaintiff at this time. Plaintiff, upon information and belief states that others materially assisted named Defendants in violating his right of publicity as alleged in the Complaint. Such Doe defendants are likely to be identified in discovery and will be named in their legal capacity upon such being ascertained by Plaintiff.

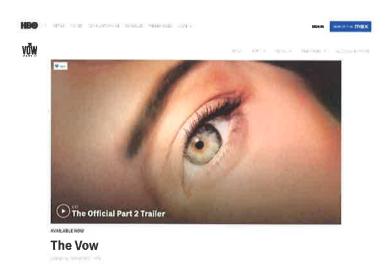
FACTS

- 12. Plaintiff was a member of a self-help organization known as NXIVM which practiced talk therapy and provided self-help courses which he found useful in overcoming his Tourette's Syndrome..
- 13. Defendant Noujaime specifically addressed the NXIVM approach to dealing with Tourette's directly targeting Plaintiff based on his experience with NXIVM. <u>See Sam Adams</u>, <u>The Vow's Co-Creator on Why It Was Never Just a "Sex Cult" Documentary</u>, Slate, November 21, 2022,
 - https://slate.com/culture/2022/11/vow-nxivm-keith-raniere-season-2-finale.html.
- 14. NXIVM was co-founded by Keith Raniere.

- 15. Raniere was involved in a legal battle with the United States government and was ultimately charged and convicted of federal criminal charges.
- 16. Raniere's criminal case and that of several famous co-defendants brought attention and publicity to NXIVM.
- 17. Raniere's criminal case culminated in a high-profile jury trial in the Eastern District of New York in 2019.
- 18. Nine weeks before Raniere's trial the Government alleged they had found child pornography on a hard drive seized during a search of Raniere's residence.
- 19. This created even greater attention to the case, brought new charges against Raniere, and led Raniere's co-defendants to plead guilty.
- 20. Raniere is currently challenging his conviction on grounds of newly discovered evidence. supported by seven forensics experts, that the metadata of the alleged child pornography evidence, which aged the subject of photos to 15, was extensively doctored, and multiple government personnel appear to be involved in this fraud. See United States v. Raniere, 18-cr-204, Eastern District of New York, ECF. Nos 1169, 1176, 1192, 1213, and 1223.
- 21. As a result of this publicity, Defendants Noujaim and Amer, who are documentary filmmakers, began production of a documentary, eventually to become known as The *Vow*, about NXIVM on or about May of 2017.
- 22. Defendants Noujaim and Amer control, manage and own the companies responsible for producing, directing, filming and distributing their documentaries, including The Vow.
- 23. The companies controlled by Defendants Noujaim and Amer include The Othrs LLC, The Othrs Licensing Corp., The Square LLC (collectively "Othrs") which are each named as a defendant in the action.

- **24.** On or about October 2017 through February 2018, Plaintiff engaged in a call transmitted over technology utilized in interstate commerce with Defendant Isabella Constantino concerning NXIVM (the "Constantino call").
- 25. Defendant Constantino knew that Plaintiff was unaware of the filming of the call, had not given consent for the airing of the call, and that such audio and visual production would be used by other defendants for commercial gain
- **26.** Plaintiff was approached by Defendants Noujaim and Amer to participate in Season 2 of *The Vow* on or about July 11, 2020.
- 27. Plaintiff sent the signed Release Agreement to Defendants Noujaim and Amer by email on September 18, 2020. See Exhibit 1.
- 28. The operative language of the Agreement stated "I consent and give my permission to The Square LLC (the "Producer," which, as referenced in this consent and release, includes the Producer's affiliates, successors, licensees and assigns), to interview, film, photograph and record me starting July 11th, 2020 (collectively, the "Footage"), in
- **29.** connection with the Forgotten Ones movement, and to use the Footage and my name, voice, likeness and biography in Producer's documentary series about NXIVM (the "Documentary Series").
- **30.** The agreement specifically addressed only those times after July 11, 2020.
- 31. Defendants Noujaim and Amer knew, at the time Plaintiff signed the release, that the 2018 Constantino call footage existed.
- **32.** Defendants Noujaim and Amer used professional videography and sound equipment to video and audio record the call with Constantino's permission intending to use it in a commercially produced and released documentary about NXIVM and its members.

- 33. Defendants Noujaim and Amer never disclosed the existence of the Constantino call to Plaintiff and it was only upon the airing of season 2, episode 3 of *The Vow* that Plaintiff became aware of its existence.
- **34.** Plaintiff never provided knowing and voluntary consent to Defendants Noujaim and Amer of Defendant HBO or any of their agents to air the Constantino call footage.
- **35.** Defendants Noujaim and Amer began filming Plaintiff on July 11, 2020, and continued through on or about September 2021.
- **36.** HBO entered into an agreement with Defendants Noujaim and Amer and their companies to air *The Vow* for compensation.
- 37. Upon information and belief, HBO's legal department reviewed the episodes prior to airing and also reviewed Plaintiff's Release Agreement.
- **38.** Plaintiff appeared in *The Vow* season two, episode three which aired on October 31, 2022 on HBO behind a paywall for commercial gain.
- **39.** The Vow is available for viewing behind a paywall and has been at all times relevant to this Complaint in Missouri.



- 40. The episode which includes Plaintiff, as referenced by paragraph 38 above, continues to air on HBO and is currently available behind a paywall for viewing by the general public, making exhibition use for commercial gain.
- 41. Plaintiff was located in New York during the Constantino call.
- **42.** Upon information and belief, Constantino was located in New York when the Constantino call was recorded.
- **43.** New York is a one-party consent state with relation to wiretapped conversations transmitted electronically.
- 44. Without Plaintiff's knowledge or consent the call with Constantino was recorded by videographic and audio means.
- 45. Plaintiff had and continues to have an expectation of privacy in the Constantino call.
- 46. Upon information and belief, Constantino permitted John Doe defendants to record the call for future use in a video documentary production about NXIVM which was produced and broadcast as The Vow.
- 47. Upon information and belief, Constantino and the Doe defendants knew that Plaintiff did not consent to the recording and did not waive any right to privacy in his voice, name and identification for the commercial use of the recording either by video or audio production.
- **48.** There is no consent and release from Plaintiff to any party that waives his right to privacy in the Constantino call.

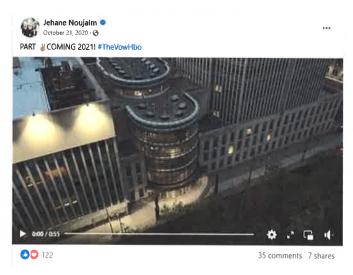
- 49. Upon information and belief, Defendant HBO reviewed the July 11, 2022 Release Agreement signed by Plaintiff and knew that the Constantino call was not covered by the agreement.
- **50.** Upon information and belief, Defendants The Square LLC (State LLC), The Othrs LLC (a Florida LLC), and The Othrs Licensing Corp. (a Florida corporation) by and through their members Defendants Noujaim and Amer solicited and marketed the broadcast of The Vow specifically season two, episode three to Defendant HBO including the Constantino call broadcast to the public without Plaintiff's consent.
- 51. Upon information and belief, the Defendants collectively conspired to broadcast the Constantino call in violation of Plaintiff's right to privacy with full knowledge that Plaintiff had neither consented nor waived his right to privacy in the call.
- **52.** Defendants individually and collectively gained a commercial advantage from the use of Plaintiff's name, identity and voice without his consent.

COUNT I RIGHT OF PUBLICITY AS TO ALL DEFENDANTS

- **53.** Paragraphs 1 through 51 are incorporated by reference as if more fully stated herein.
- **54.** Plaintiff has a right to privacy and a right of publicity in Missouri. See *Doe v. TCI* Cablevision, 110 S.W.3d 363 (Mo. 2003).
- 55. Plaintiff has a statutory right of privacy in New York to his name, portrait, picture, or voice being used in a film or television production. See N.Y. Civ. Rights Law § 51.
- 56. Defendants, jointly and severally, used Plaintiff's voice, likeness and name to gain a commercial advantage for profit in a video production, The Vow, aired on HBO beginning on October 31, 2022 and continuing to present.

57. The Vow was a commercial success continuing to generate revenue for the Defendants, as acknowledged by Defendant Noujaim on her Facebook page.









58. Plaintiff was damaged by the publication, without his consent, of the Constantino call.

COUNT II CIVIL CONSPIRACY AS TO ALL DEFENDANTS

- 59. Paragraphs 1 through 57 are incorporated by reference as if more fully stated herein.
- **60.** Defendants conspired, aided and abetted and otherwise colluded with each other individually and collectively to knowingly collect and publish for commercial gain the identity, likeness and voice of Plaintiff without his consent or any legal justification.

- 61. Defendants conspired with an unlawful objective to broadcast Plaintiff's identity and voice in season two, episode three of *The Vow* in order to increase publicity and continue their commercial gain with knowledge that Plaintiff had not consented to his identity and likeness from the Constantino call being broadcast.
- **62.** Upon information and belief, Defendants collaborated jointly and severally to publish the identity and voice of Plaintiff without his consent in relation to the Constantino call by in person meetings and electronic means.
- 63. Defendants engaged in the overt act of publishing the Constantino call without the consent of Plaintiff by inducing Plaintiff to consent to filming and use of his likeness, name, image and voice on or after July 11, 2020, with full knowledge of the Constantino call.
- **64.** Plaintiff was damaged by the publication, without his consent, of the Constantino call.

WHEREFORE,

- 1. Plaintiff demands a trial by jury.
- 2. Plaintiff seeks an award of damages in excess of \$75,000 to be determined by proof at trial against each and every Defendant, jointly and severally.
- 3. All other remedies allowed by law.

DATED this 31st day of October 2023.

Sworn to and subscribed before me this 3/ st date of <u>Colober</u>, 2023.

Witness my hand and official seal.

villess my hand and official seal.

Notary Public Bushow DEM

BARBARA D. RENFROW
Notary Public - Notary Seal
State of Missouri
Commissioned for St. Leuis City
My Commission Expires: May 31; 2024
Commission Number: 20606492

Respectfully submitted,

Marc Elliot

Defendant, pro se

5655 Pershing Ave, Apt 529

St. Louis, MO 63112

marc@marcelliot.com

314-252-0579

EXHIBIT 1

THE SQUARE LLC - Producer

CONSENT AND RELEASE

I consent and give my permission to The Square LLC (the "Producer," which, as referenced in this consent and release, includes the Producer's affiliates, successors, licensees and assigns), to interview, film, photograph and record me starting July 11th, 2020 (collectively, the "Footage"), in connection with the Forgotten Ones movement, and to use the Footage and my name, voice, likeness and biography in Producer's documentary series about NXIVM (the "Documentary Series"), its exploitation in all versions, formats and media worldwide in perpetuity, the advertising and promotion of the Documentary Series, and otherwise in connection with the subject matter. Producer shall have the right to assign its rights hereunder to any person, corporation or entity. Following release of the Documentary Series, I may request in writing and Producer will use good faith efforts to cause any Footage featuring me in connection with the Forgotten Ones movement which is not used in the Documentary Series to be licensed to me for historical purposes or any other purposes that are mutually agreed upon in writing, on terms to be negotiated in good faith. The above provision shall be subject to the approval of the distributor of the Documentary Series and any rights of other subjects contained in the Footage.

I know that the subject matter of the Documentary Series is sensitive and will not disclose to anyone the Documentary Series' existence or any other information concerning it, including my participation in the interview. I will not give any interviews or authorize any publicity relating to the Documentary Series without Producer's prior written approval.

I agree not to make any claim of any nature against the Producer or any third party relating to the Documentary Series and your filming of me, including but not limited to claims for moral rights, defamation, privacy, publicity, or payment. I agree that I do not have any right of inspection or approval of the uses of the Footage pursuant to this consent and release. I agree to jurisdiction of state and federal courts located in New York, New York that New York law shall govern this release, and hereby specifically waive the right to seek equitable or injunctive relief or to otherwise enjoin, restrain, or interfere with the production, distribution, exploitation, promotion, or exhibition of the Documentary Series or use of any of the above grants.

I confirm that I am not basing my consent and release on any information or statements other than what is contained herein. Since I understand that Producer is relying on the consent and release being granted herein, including making binding contractual commitments and incurring significant expense, I agree that it cannot be revoked.

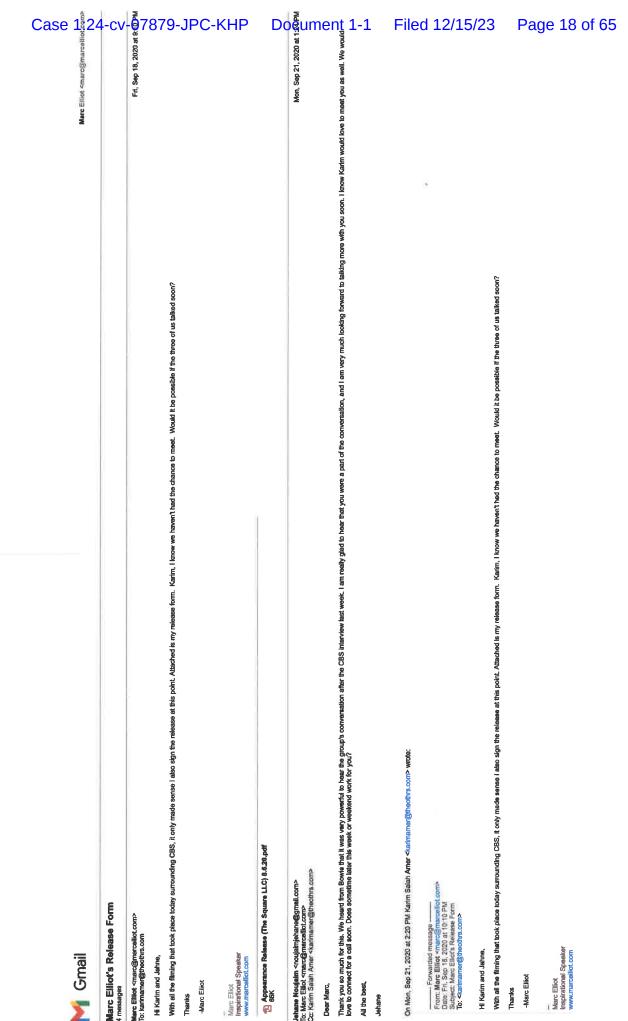
Signature:	Man 10
Printed: Ma	arc Elliot
Address:	99 Wall St, Suite #1958, New York, 10005
Email:	marc@marcelliot.com

Case 1:24-cv-07879-JPC-KHP Document 1-1 Filed 12/15/23 Page 17 of 65

THE SQUARE LLC - Producer

CONSENT AND RELEASE

Daker				
Date:				
C CCC	 			



Smail Gmail

Marc Elliot's Release Form

Marc Elliot cmarc@marcelliot.com>
To: karimamer@theothrs.com

Hi Karlm and Jehne,

-Marc Eliot

Marc Elliot Inspirational Speaker www.marcelliot.com

Appearance Release (The Square LLC) 8.6.20.pdf 661K

From. Forwardod message
From. Mare Elitid strans@marcellot.com>
Date: Fri. Sep 16, 2020 at 10·10 PM
Subject. Mare Elitida Release Form
To: <karimamen@heothe.com>

HI Karim and Jahne,

-Marc Elliot



Judge or Division: ELIZABETH BYRNE HOGAN	Case Number: 2322-CC09423
Plaintiff/Petitioner:	Plaintiff's/Petitioner's Attorney/Address:
MARC BRANDAN ELLIOT	MARC BRANDAN ELLIOT
	5655 PERSHING AVE
	APT 529
,	vs. ST LOUIS, MO 63112
Defendant/Respondent:	Court Address:
HBO HOME ENTERTAINMENT CORP	CIVIL COURTS BUILDING
Nature of Suit:	10 N TUCKER BLVD
CC Other Tort	SAINT LOUIS, MO 63101
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	(Date File Stamp)
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The State of Missouri to: HBO HOME ENTER	
Alias:	
THE CORPORATION TRUST COMPANY	NEW CASTLE COUNTY, DE
1209 ORANGE ST WILMINGTON, DE 19801	
	to appear before this court and to file your pleading to the petition, copy of
	and to serve a copy of your pleading upon the attorney for the
	the above address all within 30 days after service of this summons upon
	e day of service. If you fail to file your pleading, judgment by default will be
taken against you to	or the relief demanded in this action.
CITY OF ST LOUIS November	er 2, 2023 Thomas Kloeppinger
Date	e Clerk
Further Information:	
Office	er's or Server's Affidavit of Service
I certify that:	ers or Server's Amidavit of Service
· · · · · · · · · · · · · · · · · · ·	ctions within the state or territory where the above summons was served.
My official title is	of County, (state).
I have served the above Summons by: (ch	
delivering a copy of the summons and	
	etition at the dwelling house or usual place of abode of the defendant/respondent
with	, a person at least 18 years of age residing therein.
	g a copy of the summons and petition to
	(name) (title).
other:	·
Served at	(address)
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inoutlity,	(State), or(date) at(time).
Printed Name of Sheriff or Server	Signature of Sheriff or Server
Subscribed and swor	to before me this (day) (month) (year).
	the clerk of the court of which affiant is an officer.
	the judge of the court of which affiant is an officer.
(Seal)	authorized to administer oaths in the state in which the affiant served the above
(555)	summons. (use for out-of-state officer)
L	authorized to administer oaths. (use for court-appointed server)
	Signature and Title

	_ase_t_z4-cv-u/8/9-JPL-kHP_	Document 1-1	FIIE0 1/15//3	Page Zu oi os	
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	See the following page for dire	ections to onicer making	return on service of sum	mons.	

A copy of the summons and petition must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and petition when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and petition and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and petition personally to the individual or by leaving a copy of the summons and petition at the individual's dwelling house or usual place of abode with some person at least 18 years of age residing therein, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and petition to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and petition to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.



Judge or Division:		Case Number: 2322-CC09423		
Plaintiff/Petitioner: MARC BRANDAN ELLIC		Plaintiff's/Petitioner's Attorney/Address: MARC BRANDAN ELLIOT 5655 PERSHING AVE APT 529 ST LOUIS, MO 63112		
Defendant/Respondent:		Court Address:		
HBO HOME ENTERTAIN Nature of Suit:	MENT CORP	CIVIL COURTS BUILDING 10 N TUCKER BLVD		
CC Other Tort		SAINT LOUIS, MO 63101		
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	,			File Stamp)
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The State of Missouri to:		xcept Attachment Action)		
14 E 4TH ST UNIT 1107 NEW YORK, NY 10002	Alias:			
COURT SEAL OF	which is attached, and the plaintiff/petitioner at the	appear before this court and to file your ple to serve a copy of your pleading upon the a above address all within 30 days after ser by of service. If you fail to file your pleading the relief demanded in this action.	attorney for the vice of this summo	ons upon
CITY OF ST LOUIS	November 2	2, 2023 Thomas	Kloeppinger	س
)	. Date Further Information:		Cleřk 🗘	
	Officer's	or Server's Affidavit of Service		
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with		on at the dwelling house or usual place of abode , a person at least 18 years of age residing	∍ of the defendant/re ∤therein.	spondent
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in	County,	(state), on (date) at	(time).
	me of Sheriff or Server Subscribed and sworn to	Signature before me this (day)	e of Sheriff or Server (month)	(vear).
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Service	Fees		3 00 000 000 000 000 000 000 000 000 00			
Summon	s \$					
Non Est	\$					
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	See	the following page for dire	ctions to officer making	return on service of sum	mons	
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Judge or Division: ELIZABETH BYRNE HO	, GAN	Case Number: 2322-CC09423	,	
Plaintiff/Petitioner: MARC BRANDAN ELLIC	OT vs.	Plaintiff's/Petitioner's Attorney/Add MARC BRANDAN ELLIOT 5655 PERSHING AVE APT 529 ST LOUIS, MO 63112	iress:	
Defendant/Respondent: HBO HOME ENTERTAIN	IMENT CORD	Court Address:		
Nature of Suit: CC Other Tort	NMENT CORP	CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	1	
	-		(Dat	e File Stamp)
Si		nal Service Outside the State	e of Missouri	
TI 01 (515)	·	xcept Attachment Action)	<u> </u>	
The State of Missouri to: 14 E 4TH ST UNIT 1107 NEW YORK, NY 10002	KARIM AMER Alias:		2	
COURT SEAL OF	which is attached, and the plaintiff/petitioner at the you, exclusive of the date.	appear before this court and to file y to serve a copy of your pleading upon above address all within 30 days and ay of service. If you fail to file your plant are relief demanded in this action.	on the attorney for the fter service of this sumn eading, judgment by de	nons upon fault will be
CITY OF ST LOUIS	November 2	2, 2023	nas Kloeppinge	<u>د</u>
	Date Further Information:		Clerk V	
	Officer's	or Server's Affidavit of Service		 -
I certify that:				
 My official title is _ I have served the a 	above Summons by: (check	s within the state or territory where the a of one) ition to the defendant/respondent.	above summons was serve	ed. (state).
leaving a copy	of the summons and petition	on at the dwelling house or usual place o , a person at least 18 years of age i	of abode of the defendant/ residing therein.	respondent
(for service on		copy of the summons and petition to (name)		(title).
other:				·
Served at				
in	County,	(state), on	(date) at	(time).
	me of Sheriff or Server Subscribed and sworn to	before me this (day)	Signature of Sheriff or Server (month)	
	I am: (check one)	ne clerk of the court of which affiant is ar	n officer.	(you.).
		ne judge of the court of which affiant is a		
(Seal)		uthorized to administer oaths in the state ummons. (use for out-of-state officer)	e in which the affiant serve	ed the above
		uthorized to administer oaths. (use for c	court-appointed server)	,
			Signature and Title	

Case 1:24-cv	<u>/-07879-JPC-KHP</u>	Document 1-1	Eiled 12/15/23	Page 24 of 65	
Service Fees				9	
Summons \$					
Non Est \$	-				
Mileage \$		miles @ ¢	nor mile)		
		miles @ \$	per mile)		
Total \$					
See	the following page for direct	ctions to officer making	return on service of sum	mons.	

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-weeces,			
Judge or Division: ELIZABETH BYRNE HOGAN	Case Number: 2322-CC09423		
Plaintiff/Petitioner: MARC BRANDAN ELLIOT	Plaintiff's/Petitioner's Attorney/Add MARC BRANDAN ELLIOT 5655 PERSHING AVE	dress:	
	APT 529		
	vs. ST LOUIS, MO 63112	·	
Defendant/Respondent:	Court Address:		
HBO HOME ENTERTAINMENT CORP	CIVIL COURTS BUILDING		
Nature of Suit:	10 N TUCKER BLVD		
CC Other Tort	SAINT LOUIS, MO 63101		
•		(Date F	File Stamp)
Summons for P	ersonal Service Outside the Stat (Except Attachment Action)		no otamp,
The State of Missouri to: THE OTHRS LLC			
Alias:			
201 ALHAMBRA CIRCLE SUITE 1205 C/O LEE J OSIASON CORAL GABLES, FL 33134	M	IIAMI-DADE COUNTY	, FL
COURT SEAL OF You are summor	ned to appear before this court and to file y	our pleading to the petitio	n, copy of
	d, and to serve a copy of your pleading up		.,,-,
	at the above address all within 30 days a		
	the day of service. If you fail to file your p	leading, judgment by defa	ult will be
taken against yo	u for the relief demanded in this action.	11/1 .	
CITY OF ST LOUIS Noven	nber 2, 2023	mas Kloeppinger	
. [Jale	Clerk U	
Further Information	I:		
Off	icer's or Server's Affidavit of Service		
	il actions within the state or territory where the	ahove summons was served	
My official title is	of		(state).
3. I have served the above Summons by:			
	and petition to the defendant/respondent.		
i ieaving a copy of the summons an with	d petition at the dwelling house or usual place , a person at least 18 years of age	of abode of the defendant/res	spondent
(for service on a corporation) deliver	ering a copy of the summons and petition to	•	
	(name)		(title).
other:	· ·		
			(address)
	nty, (state), on		
	(3333), 33	(=====	(
Printed Name of Sheriff or Server		Signature of Sheriff or Server	
	orn to before me this (day)		(vear).
	the clerk of the court of which affiant is a		() 54.7.
•	the judge of the court of which affiant is a	an officer.	
(Seal)	authorized to administer oaths in the sta	te in which the affiant served	the above
·	summons. (use for out-of-state officer)		
	authorized to administra the form - form	nour appointed as	
	authorized to administer oaths. (use for	court-appointed server)	

	Case :	1:24-cv-07879-JPC-KI	IP Docume	ent 1-1 F	iled 12/15/23	Page 26 of 65	
Service Fe Summons	es \$					3	
Non Est Mileage	\$ \$	(miles	@\$	per mile)		
Total		See the following page fo	directions to office	cer making retu	rn on service of sum	mons.	
		D: (1 (O.C)					

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Judge or Division: ELIZABETH BYRNE HOGAN	Case Number: 2322-CC09423
Plaintiff/Petitioner: MARC BRANDAN ELLIOT	Plaintiff's/Petitioner's Attorney/Address: MARC BRANDAN ELLIOT 5655 PERSHING AVE APT 529
VS	
Defendant/Respondent:	Court Address:
HBO HOME ENTERTAINMENT CORP	CIVIL COURTS BUILDING 10 N TUCKER BLVD
Nature of Suit: CC Other Tort	SAINT LOUIS, MO 63101
CO Other Tort	Start Essis, ine solot
	(Date File Stamp)
	nal Service Outside the State of Missouri
	Except Attachment Action)
The State of Missouri to: THE OTHRS LICENSIN	IG CORP
201 ALHAMBRA CIRCLE SUITE 1205	MIAMI-DADE COUNTY, FL
C/O LEE J OSIASON	WIIAWII-DADE COUNTY, FL
CORAL GABLES, FL 33134	
	appear before this court and to file your pleading to the petition, copy of
which is attached, and	I to serve a copy of your pleading upon the attorney for the e above address all within 30 days after service of this summons upon
you exclusive of the	lay of service. If you fail to file your pleading, judgment by default will be
taken against you for	the relief demanded in this action
The state of the s	
CITY OF ST LOUIS November	2, 2023
Further Information:	Clerk
	
	s or Server's Affidavit of Service
I certify that:	
I certify that: 1. I am authorized to serve process in civil action	ons within the state or territory where the above summons was served.
I certify that:	ons within the state or territory where the above summons was served. Of County (state)
I certify that: 1. I am authorized to serve process in civil action 2. My official title is 3. I have served the above Summons by: (check the delivering a copy of the summons and p	ons within the state or territory where the above summons was served. County, (state). k one) etition to the defendant/respondent.
I certify that: 1. I am authorized to serve process in civil actions: 2. My official title is 3. I have served the above Summons by: (chect delivering a copy of the summons and petitions) leaving a copy of the summons and petitions.	ons within the state or territory where the above summons was served. County, (state). k one) etition to the defendant/respondent. ion at the dwelling house or usual place of abode of the defendant/respondent
I certify that: 1. I am authorized to serve process in civil actions: 2. My official title is 3. I have served the above Summons by: (check delivering a copy of the summons and petitivith	ons within the state or territory where the above summons was served. of County, (state). k one) etition to the defendant/respondent. ion at the dwelling house or usual place of abode of the defendant/respondent , a person at least 18 years of age residing therein.
I certify that: 1. I am authorized to serve process in civil actions: 2. My official title is 3. I have served the above Summons by: (check the delivering a copy of the summons and public leaving a copy of the summons and petit with [(for service on a corporation) delivering a copy of the summons and petitive the delivering and petitive the deliver	ons within the state or territory where the above summons was served. of County, (state). kk one) etition to the defendant/respondent. ion at the dwelling house or usual place of abode of the defendant/respondent , a person at least 18 years of age residing therein. a copy of the summons and petition to
I certify that: 1. I am authorized to serve process in civil actions: 2. My official title is 3. I have served the above Summons by: (check the delivering a copy of the summons and perimeter) leaving a copy of the summons and petimeter; with (for service on a corporation) delivering a	ons within the state or territory where the above summons was served. of County, (state). k one) etition to the defendant/respondent. ion at the dwelling house or usual place of abode of the defendant/respondent, a person at least 18 years of age residing therein. a copy of the summons and petition to (name) (title).
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I certify that: 1. I am authorized to serve process in civil actions. 2. My official title is	ons within the state or territory where the above summons was served.

	.ase_	L'24-CV-U/8/9-JPC-KHP	Document 1-1	Filed 12/15/23	Page 28 01 05	
Service Fee	es			•	<u> </u>	
Summons	\$	<u> </u>				
Non Est	\$					
Mileage	\$	(miles @ \$	per mile)		
Total	\$					
	· -	See the following page for dire	ctions to officer making	return on service of sum	mons	

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Judge or Division: ELIZABETH BYRNE HOGAN	Case Number: 2322-CC09423			
Plaintiff/Petitioner: MARC BRANDAN ELLIOT vs.	Plaintiff's/Petitioner's Attorney/Address: MARC BRANDAN ELLIOT 5655 PERSHING AVE APT 529 ST LOUIS, MO 63112			
Defendant/Respondent: HBO HOME ENTERTAINMENT CORP	Court Address: CIVIL COURTS BUILDING			
Nature of Suit: CC Other Tort	10 N TUCKER BLVD SAINT LOUIS, MO 63101			
	(Date File Stamp)			
	nal Service Outside the State of Missouri Except Attachment Action)			
The State of Missouri to: THE SQUARE LLC	Except Attachment Action)			
Alias:				
LISA WISLEY, RAGT 160 VAN BRUNT ST THIRD FL BROOKLYN, NY 11231	BROOKLYN COUNTY, NY			
which is attached, and plaintiff/petitioner at the you, exclusive of the dataken against you for the second	appear before this court and to file your pleading to the petition, copy of to serve a copy of your pleading upon the attorney for the e above address all within 30 days after service of this summons upon ay of service. If you fail to file your pleading, judgment by default will be he relief demanded in this action. 2, 2023			
CITY OF ST LOUIS NOVEMBER Date	Clerk			
Further Information:	SIGIR 3			
	or Server's Affidavit of Service			
 2. My official title is 3. I have served the above Summons by: (chec delivering a copy of the summons and personnels) 	k one) etition to the defendant/respondent.			
with	ion at the dwelling house or usual place of abode of the defendant/respondent, a person at least 18 years of age residing therein.			
(for service on a corporation) delivering a	copy of the summons and petition to (title).			
other:	(address)			
	(address)(state), on(date) at(time).			
·	(State), on(vale).			
Printed Name of Sheriff or Server	Signature of Sheriff or Server			
Subscribed and sworn to	before me this (day) (month) (year).			
l am: (check one) 🔲 t	he clerk of the court of which affiant is an officer.			
	he judge of the court of which affiant is an officer.			
	authorized to administer oaths in the state in which the affiant served the above			
	summons. (use for out-of-state officer) authorized to administer oaths. (use for court-appointed server)			
	Signature and Title			

	ase	L24-CV-07879-JPC-KHP	Document 1-1	Elled 12/15/23	Page 30 of 65	
Service Fe	es					
Summons	\$					
Non Est	\$					
Mileage	\$	(miles @ \$	per mile)		
Total	\$					
		See the following page for dire	ctions to officer making	return on service of sum	imons.	

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			_		
Judge or Division: ELIZABETH BYRNE HO	GAN	Case Number: 2322-CC09423			
Plaintiff/Petitioner:		Plaintiff's/Petitioner's Attorney/Address:			
MARC BRANDAN ELLIC	DΤ	MARC BRANDAN ELLIOT			
		5655 PERSHING AVE			
		APT 529			
	vs.	ST LOUIS, MO 63112			
Defendant/Respondent:		Court Address:			
HBO HOME ENTERTAIN	IMENT COPP	CIVIL COURTS BUILDING			
	AMENT CON	10 N TUCKER BLVD			
Nature of Suit:		SAINT LOUIS, MO 63101			
CC Other Tort		57 th 17 20 010; 1410 00 10 1			
			(Date File Stamp)		
9	ummone for Person	al Service Outside the State of Missou	······································		
3.			"		
71 04 4 6171 14		xcept Attachment Action)			
The State of Missouri to:	ISABELLA CONSTANTI	NO			
625 LAFAYETTE AVENUE	Alias:	EDIE COUNT	V NV		
BUFFALO, NY 14222		ERIE COUNT	Y, NY		
COURT SEAL OF	Valuate alleren and to		- 4b		
OURT OF		appear before this court and to file your pleading to			
		to serve a copy of your pleading upon the attorney			
3/3		above address all within 30 days after service of			
(3) (A) (3) (B) (B) (B) (B) (B) (B) (B) (B) (B) (B		y of service. If you fail to file your pleading, judgm e relief demanded in this action.	ent by delauit will be		
	taken against you for th	e relief demanded in this action.	4		
CITY OF ST LOUIS	November 2	2, 2023 Thomas Hoey	yringer		
0 0. 0. 200.0	Date	Clerk			
	Further Information:				
	Officer's	or Server's Affidavit of Service			
I certify that:					
	serve process in civil action	s within the state or territory where the above summons			
My official title is		of County, _	(state).		
	above Summons by: (check	•			
		ition to the defendant/respondent.			
☐ leaving a copy	of the summons and petition	on at the dwelling house or usual place of abode of the	defendant/respondent		
		, a person at least 18 years of age residing therein.			
(for service on	a corporation) delivering a	copy of the summons and petition to	(4:41 o.)		
		(name)			
Served at	···		(address)		
in	County,	(state), on (date) at	(time).		
, , , , , , , , , , , , , , , , , , , 		, , , , , , , , , , , , , , , , , , , ,			
		<u> </u>			
	me of Sheriff or Server	Signature of Sher			
•		before me this (day) (n	nonth) (year).		
	· · · · · · · · · · · · · · · · · · ·	ne clerk of the court of which affiant is an officer.			
		ne judge of the court of which affiant is an officer.	Caut a a a a d Al 1		
(Seal)		authorized to administer oaths in the state in which the affiant served the above			
		ummons. (use for out-of-state officer) uthorized to administer oaths. (use for court-appointed :	conver)		
	⊔ a	unionzed to administer baths, (use for count-appointed s	3C1VC1)		
		Signature and Titl			
		Olgitatule allu Titi			

	2036 1.24-CV-07073-JFC-NTF	DOCUMENT T-T	FIIEU TZ/TJ/ZJ	Eaut 32 UI US	
Service Fee	es				
Summons	\$				
Non Est	\$				
Mileage	\$(miles @ \$	per mile)		
Total	\$				
	See the following page for dire	ections to officer making	return on service of sum	mons.	

Filed 19/15/99

00 1:24 ov 07070 1DC KUD

Directions to Officer Making Return on Service of Summons

A copy of the summons and petition must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and petition when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and petition and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and petition personally to the individual or by leaving a copy of the summons and petition at the individual's dwelling house or usual place of abode with some person at least 18 years of age residing therein, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and petition to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and petition to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.



TWENTY-SECOND JUDICIAL CIRCUIT OF MISSOURI CITY OF ST. LOUIS

THOMAS KLOEPPINGER CIRCUIT CLERK

NOVEMBER 2, 2023

Cause Number: 2322-CC09423

Dear MR MARC ELLIOT

Please find enclosed herein, two (2) copies of the summons with attached Petition in regard to the above cause number.

You must forward both copies to the NEW CASTLE COUNTY, DE, THE COUNTY OF NEW YORK, NY, MIAMI-DADE COUNTY, FL, BROOKLYN COUNTY, & ERICCOUNTY, NY SHERIFF'S DEPARTMENT or other process server in the county and state where you are attempting to serve the defendants.

As the summons must be served within thirty (30) days of issue date, it is very important that you do this as soon as possible or the summons will expire.

Sincerely,

THOMAS KLOEPPINGER

Circuit Clerk

M MCMULLEN

Deputy Clerk

LIŽABETH BYRNE HOGAN	Case Number: 2322-CC09423	NOV 17 2023
aintiff/Petitioner: ARC BRANDAN ELLIOT . : ! vs	Plaintiff's/Petitioner's Attorney/Address: MARC BRANDAN ELLIOT 5655 PERSHING AVE APT 529 s. ST LOUIS, MO 63112	22 ^{IP} JUDICIAL CIRCUIT CIBOUTI ELERK'S OFFIC BY DEPL
efendant/Respondent: BO HOME ENTERTAINMENT CORP	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD	
ature of Suit: C Other Tort	SAINT LOUIS, MO 63101	
		(Date File Stamp)
	onal Service Outside the State of I (Except Attachment Action)	Viissouri
he State of Missouri to: HBO HOME ENTERT.		
Alias; HE CORPORATION TRUST COMPANY 209 ORANGE ST //LIMINGTON, DE 19801.	NEW (CASTLE COUNTY, DE
which is attached, an	to appear before this court and to file your p nd to serve a copy of your pleading upon the the above address all within 30 days after se day of service. If you fail to file your pleadin the relief demanded in this action.	attorney for the ervice of this summons upon
Novembe	r 2, 2023	Mocpyringer
. Date		Clerk
Further Information:		
Office:	r's or Server's Affidavit of Service	
rocitity trials	tions within the state or territory where the above	
I am authorized to serve process in civil act My official title isPROCESS SERVER	of NEW CASTLE	County, <u>D</u> E (state
2. My official title is PROCESS SERVER 3. I have served the above Summons by: (che delivering a copy of the summons and leaving a copy of the summons and pendith	of NEW CASTLE eck one) petition to the defendant/respondent. rition at the dwelling house or usual place of abo	de of the defendant/respondent
2. My official title is PROCESS SERVER 3. I have served the above Summons by: (che delivering a copy of the summons and leaving a copy of the summons and pendith	of NEW CASTLE eck one) petition to the defendant/respondent.	de of the defendant/respondent
2. My official title is PROCESS SERVER 3. I have served the above Summons by: (che delivering a copy of the summons and leaving a copy of the summons and pendith	of NEW CASTLE eck one) petition to the defendant/respondent. tition at the dwelling house or usual place of abo, a person at least 18 years of age residing a copy of the summons and petition to	de of the defendant/respondent
2. My official title isPROCESS SERVER 3. I have served the above Summons by: (che delivering a copy of the summons and leaving a copy of the summons and pe with (for service on a corporation) delivering ROBIN HUTT BANKS	of NEW CASTLE eck one) petition to the defendant/respondent. dition at the dwelling house or usual place of abo, a person at least 18 years of age residing a copy of the summons and petition to (name) MANAGING AGENT DN DE 19801	de of the defendant/respondent on the defendant/respondent on the defendant/respondent of the defendant/respondent on the defendant of
2. My official title isPROCESS SERVER 3. I have served the above Summons by: (che delivering a copy of the summons and leaving a copy of the summons and pe with (for service on a corporation) delivering ROBIN HUTT BANKS other:	of NEW CASTLE eck one) petition to the defendant/respondent. tition at the dwelling house or usual place of abo, a person at least 18 years of age residir g a copy of the summons and petition to (name) MANAGING AGENT DN DE 19801	de of the defendant/respondent (title)

Signature and Title

	Service Fees	S .	
١.	Summons	\$	
	Non Est	\$	
l	Mileage	\$ (
}	Total	\$	
		See the following page for directions to officer making return on service of summons.	

A copy of the summons and petition must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and petition when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and petition and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and petition personally to the individual or by leaving a copy of the summons and petition at the individual's dwelling house or usual place of abode with some person at least 18 years of age residing therein, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and petition to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and petition to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of any public, municipal, governmental, or guasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

BRANDYWINE PROCESS SERVERS, LTD.

PO BOX 1360
Wilmington, DE 19899
302-475-2600
brandywineps@comcast.net
www.wilmingtonprocessserver.com

INVOICE

BILL TO MARC BRANDON ELLIOT 5655 PERSHING AVE APT 529 ST LOUIS, MO 63101

Ĺ	DATE	CASE CAPTION						AMOUNT
1		MARC BRANDON ELLIC SERVICE C/O CT	T V	НВО	ENTERTA)	AINMENT C	ORP	99.00
-				7	MENT ANCE DUI	3	÷	99.00 \$0.00

IN THE TWENTY-SECOND JUDICIAL CIRCUIT COURT OF MISSOURI

MARC BRANDAN ELLIOT

類別 NOV 27 PM 1:18

Case No.: 2322-CC09423

Plaintiff(s) / Petitioner(s)

v.

HBO HOME ENTERTAINMENT CORP. a Delaware corporation; JEHANE NOUJAIME, an individual; KARIM AMER, an individual; THE OTHRS, LLC, a Florida limited liability company; THE OTHRS LICENSING CORBP., a Florida corporation; The Square, LLC, a New York limited liability company; ISABELLA CONSTANTINO, an individual; JOHN DOES 1-10

Defendant(s) / Respondent(s)

AFFIDAVIT OF SERVICE

I, David Diaz, being duly sworn, state:

I am 18 years or older and not a party to this action or a member of a corporation or organization that is a party to this action.

I served the following documents to The Othrs Licensing Corp in Miami-Dade County, FL on November 18, 2023 at 12:06 pm at 7525 Sunset Dr, Miami, FL 33143 by leaving the following documents with Lee Osiason who as Registered Agent is authorized by appointment or by law to receive service of process for The Othrs Licensing Corp.

Summons, Directions, Complaint for Damages, and Exhibit A

White Male, est. age 65+, glasses: N, Brown hair, 140 lbs to 160 lbs, 5' 6" to 5' 9". Geolocation of Serve: https://google.com/maps?q=25.7035840791,-80.3159791019

Photograph: See Exhibit 1

Proof Job #403426 Page 1

Filed 12/15/23

Page 38 of 65

Isl On S

Signature David Diaz +1 (786) 516-5514 Subscribed and sworn to before me this 21 day of

November, 23, by Amber Jo Martinez

Witness my hand and official seal.

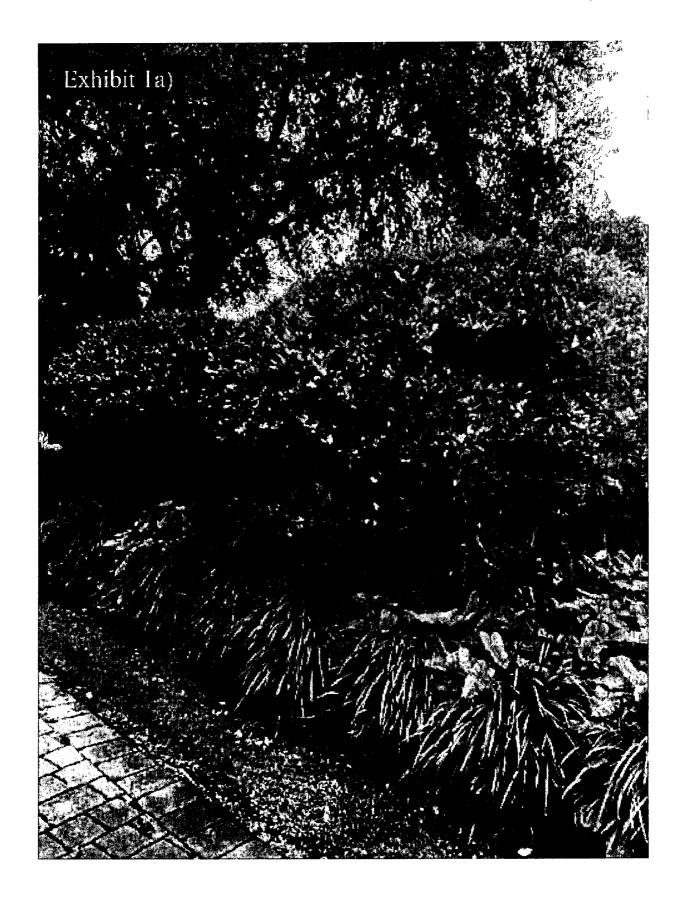
Amber Jo Martinez

Notary Public

My commission expires: 10/09/2027

Notarized online using audio-video communication

Amber Jo Martinez
Electronic Notary Public
State of Colorado
Commission #: 20194038470
Commission Expires: 10/09/2027



Page 3 Proof Job #403426



Judge or Division: ELIZABETH BYRNE HOGAN	Case Number: 2322-CC09423	
Plaintiff/Petitioner: MARC BRANDAN ELLIOT	Plaintiff's/Petitloner's Attorney/Address: MARC BRANDAN ELLIOT	
WANG BIVANDWIA FEFICI	5655 PERSHING AVE	i
-	APT 529	
VS.	ST LOUIS, MO 63112	
Defendant/Respondent: HBO HOME ENTERTAINMENT CORP	Court Address: CIVIL COURTS BUILDING	
Nature of Suit:	10 N TUCKER BLVD	
CC Other Tort	SAINT LOUIS, MO 63101	
·		
		(Date File Stamp)
	nal Service Outside the State of Missouri xcept Attachment Action)	,
The State of Missouri to: THE OTHRS LICENSING		
Allas:		
201 ALHAMBRA CIRCLE SUITE 1205 C/O LEE J OSIASON	MIAMI-DADE COL	JNTY, FL
CORAL GABLES, FL 33134		
	appear before this court and to file your pleading to the	
	to serve a copy of your pleading upon the attorney for the above address all within 30 days after service of this si	
you, exclusive of the da	ay of service. If you fail to file your pleading, judgment by	
taken against you for th	ne relief demanded in this action.	
CITY OF ST LOUIS November 2	2, 2023 Thomas Moeppin	yen
Date	Clefk*	J
Further Information:		
Officer's I certify that:	or Server's Affidavit of Service	
	ns within the state or territory where the above summons was	served.
My official title is I have served the above Summons by: (check	ofCounty,	(state).
delivering a copy of the summons and pe		
leaving a copy of the summons and petition	on at the dwelling house or usual place of abode of the defend , a person at least 18 years of age residing therein.	lant/respondent
(for service on a corporation) delivering a Lee Osiason	copy of the summons and petition to (name) Registered Agent	(title).
other:	(Hallo)	
Served at7525 Sunset Dr, Miami, FL 33143		(address)
in Miami-Dade County,	Florida (state), on 11/18/2023 (date) at 12:0	06 pm(time).
Printed Name of Sheriff or Server	Signature of Sheriff or S	
Subscribed and sworn to	before me this (day) (month)	
	he clerk of the court of which affiant is an officer. he judge of the court of which affiant is an officer.	
(Soot) S	authorized to administer oaths in the state in which the affiant	served the above
	summons, (use for out-of-state officer)	r\
1 1 8	authorized to administer oaths. (use for court-appointed server	.)

Signature and Title

IN THE TWENTY-SECOND JUDICIAL CIRCUIT COURT OF MISSOURI

Case No.: 2322-CC09423

MARC BRANDAN ELLIOT

2927 NOY 27 PM 1: 18

Plaintiff(s) / Petitioner(s)

٧.

HBO HOME ENTERTAINMENT CORP, a Delaware corporation; JEHANE NOUJAIME, an individual; KARIM AMER, an individual; THE OTHRS, LLC, a Florida limited liability company; THE OTHRS LICENSING CORP., a Florida corporation; The Square, LLC, a New York limited liability company; ISABELLA CONSTANTINO, an individual; JOHN DOES 1-10

Defendant(s) / Respondent(s)

AFFIDAVIT OF SERVICE

I, David Diaz, being duly sworn, state:

I am 18 years or older and not a party to this action or a member of a corporation or organization that is a party to this action.

I served the following documents to The OTHRS LLC in Miami-Dade County, FL on November 18, 2023 at 12:04 pm at 7525 Sunset Dr, Miami, FL 33143 by leaving the following documents with Lee Osiason who as Registered Agent is authorized by appointment or by law to receive service of process for The OTHRS LLC.

Summons, Directions, Complaint for Damages, and Exhibit 1

White Male, est. age 65+, glasses: N, Brown hair, 160 lbs to 180 lbs, 5' 6" to 5' 9". Geolocation of Serve: https://google.com/maps?q=25.7034472958,-80.3162113233

Photograph: See Exhibit 1

Page 1

Signature David Diaz

+1 (786) 516-5514

Subscribed and sworn to before me this 21 day of

November, 23, by

Amber Jo Martinez

Witness my hand and official seal.

Amber Jo Martinez

Notary Public

My commission expires:

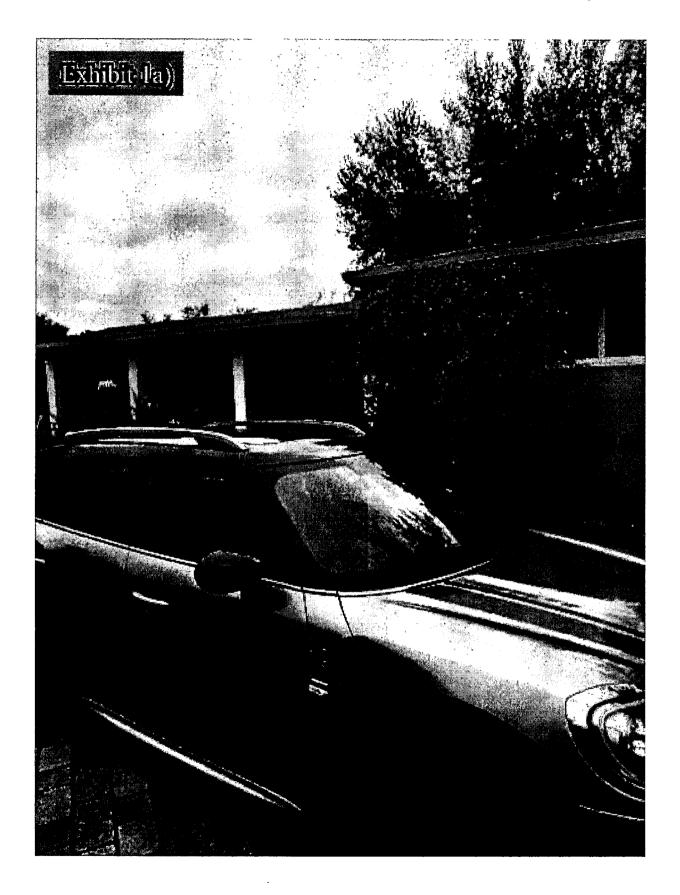
10/09/2027

Notarized online using audio-video communication

Amber Jo Martinez **Electronic Notary Public** State of Colorado Commission #: 20194038470 Commission Expires: 10/09/2027

Proof Job #403427

Page 2



Proof Job #403427 Page 3



·	
Judge or Division: ELIZABETH BYRNE HOGAN	Case Number: 2322-CC09423
Plaintiff/Petitioner: MARC BRANDAN ELLIOT	Plaintiff's/Petitioner's Attorney/Address: MARC BRANDAN ELLIOT
	5655 PERSHING AVE
l lo	APT 529 ST LOUIS, MO 63112
Vs. Defendant/Respondent:	Court Address:
HBO HOME ENTERTAINMENT CORP	CIVIL COURTS BUILDING
Nature of Suit:	10 N TUCKER BLVD
CC Other Tort	SAINT LOUIS, MO 63101
	(Date File Stamp)
Summons for Person	nal Service Outside the State of Missouri
(E	xcept Attachment Action)
The State of Missouri to: THE OTHRS LLC Alias:	
201 ALHAMBRA CIRCLE SUITE 1206	MIAMI-DADE COUNTY, FL
C/O LEE J OSIASON CORAL GABLES, FL 33134	
	appear before this court and to file your pleading to the petition, copy of
	to serve a copy of your pleading upon the attorney for the above address all within 30 days after service of this summons upon
	ay of service. If you fail to file your pleading, judgment by default will be
	ne relief demanded in this action.
CITY OF ST LOUIS November	2, 2023 Thomas Moepysinger
Date	Clerk*
Further Information:	
	or Server's Affidavit of Service
I certify that: 1. Lam authorized to serve process in civil action	ns within the state or territory where the above summons was served.
2. My official title is	of County, (state).
3. I have served the above Summons by: (check	tition to the defendant/respondent.
leaving a copy of the summons and petiti	on at the dwelling house or usual place of abode of the defendant/respondent
with ☑ (for service on a corporation) delivering a	, a person at least 18 years of age residing therein.
Lee Osiason	(title).
other:	
Served at7525 Sunset Dr, Miami, FL 3314	
in Miami-Dade County,	Florida (state), on 11/18/2023 (date) at 12:04 pm (time).
•	·
Printed Name of Sheriff or Server	Signature of Sheriff or Server before me this (day) (month) (year).
	before me this (day) (month) (year). he clerk of the court of which affiant is an officer.
	he judge of the court of which affiant is an officer.
	authorized to administer oaths in the state In which the affiant served the above summons. (use for out-of-state officer)
	authorized to administer oaths. (use for court-appointed server)

Signature and Title

AFFIDAVIT OF NON-SERVICE

Case: 2322-CC09423	Court: 22ND JUDICIAL CIRCUIT	County: ST. LOUIS, MO	BY Job: OFPUTY DEPUTY
Plaintiff / Petitioner: MARC BRANDAN ELL		Defendant / Respondent: HBO HOME ENTERTAINMENT	CORP
Received by:		For: MARC BRANDÁN ELLIOT	
To be served upon: KARIM AMER			

I, Rodrick Green, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name:

KARIM AMER

41 Schermerhorn Street Suite 318

Address:

14 E. 4th STREET APT: 1107, NEW YORK, NEW YORK 10012

Date & Time:

Manner of Service: NON - SERVICE / BAD ADDRESS NOVEMBER 16, 2023 // 7:13 pm

Documents:

SUMMONS FOR PERSONAL SERVICE OUTSIDE THE STATE OF MISSOURI (Except Attachment Action), COMPLAINT FOR

DAMAGES and EXHIBIT 1

Additional Comments: As per building conclerge, no one by name is listed within building directory.

Brooklyn, NY 11201 800 695-7480

LLS

personally known to me.

Notary Public

Subscribed and sworn to before me by the affiant who is

Date

ARLETTE SIMMONS Notary Public, State of New York No 01515162427 Qualified in New York County My Commission Expires November 05, 2024

AFFIDAVIT OF SERVICE

Case: 2322-CC09423	Court: 22ND JUDICIAL CIRCUIT	County: ST. LOUIS, MO	CIRCUI) CLERK'S OFFICE BY 9937-49
Plaintiff / Petitioner		Defendant / Respondent: HBO HOME ENTERTAINMEN	0 777
Received by: LLS		For: MARC BRANDAN ELLIOT	
To be served upon: THE SQUARE LLC			

I, MALCOLM NEWMAN, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name:

THE SQUARE LLC VIa NEW YORK SECRETARY OF STATE

Address:

99 WASHINGTON AVENUE, ALBANY NY 12201

Manner of Service: SECRETARY OF STATE

Time & Date:

NOVEMBER 17, 2023 / 10:56 am

Documents:

SUMMONS FOR PERSONAL SERVICE OUTSIDE THE STATE OF MISSOURI (Except Attachment Action), COMPLAINT FOR

DAMAGES and EXHIBIT 1 and \$40.00 STATE FILING FEE

MALCOLM NEWMAN

LLS 41 Schermerhorn Street Suite 318 Brooklyn, NY 11201 800 695-7480

Subscribed and sworn to before me by the offiant who is personally known to me.

Notary

Date

ARLETTE SIMMONS Notary Public, State of New York No: 01515162427 Qualified in New York County

My Commission Expires November 05, 2024

AFFIDAVIT OF NON-SERVICE

·		1101 3 3 12023				/LULU
Case: 2322-CC09423	Court: 22ND JUDICIAL CIRCUIT	County: ST. LOUIS, MO	22 ND , CIRCU	UPUN P23i	CIAL 性轮	CIRCUIT CS OFFICE
Plaintiff / Petitioner MARC BRANDAN ELL		Defendant / Respondent: HBO HOME ENTERTAINMENT	BY	Y	Y	DEPUTY
Received by: LLS		For: MARC BRANDAN ELLIOT				
To be served upon: JEHANE NOJAIM						

I, Rodrick Green, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name:

JEHANE NOJAIM

Address:

14 E. 4th STREET APT: 1107, NEW YORK, NEW YORK 10012

Date & Time:

Manner of Service: NON - SERVICE / BAD ADDRESS NOVEMBER 16, 2023 // 7:13 pm

Documents:

SUMMONS FOR PERSONAL SERVICE OUTSIDE THE STATE OF MISSOURI (Except Attachment Action), COMPLAINT FOR

DAMAGES and EXHIBIT 1

Additional Comments: As per building concierge, no one by name is listed within building directory.

LLS

41 Schermerhorn Street Suite 318 Brooklyn, NY 11201

800 695-7480

Subscribed and sworn to before me by the affiant who is personally known to me.

Notary Public

Date

ARLETTE SIMMONS Notary Public, State of New York No: 01S15162427

Qualified in New York County My Commission Expires November 05, 2024

AFFIDAVIT OF SERVICE

Case: 2322-CC09423	Court: 22ND JUDICIAL CIRCUIT	County: ST. LOUIS, MO	CHOUT SOUTH STATE OF THE STATE
Plaintiff / Petitioner MARC BRANDAN ELL	:	Defendant / Respondent. HBO HOME ENTERTAINMENT CORP.	A DEPUTY
Received by: LLS		For MARC BRANDAN ELLIOT	
To be served upon: ISABELLA CONSTANT	INO		

I. ELVIN SINGLETON, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name:

Address:

ISABELLA CONSTANTINO

625 LAFAYETTE AVENUE, BUFFALO, NEW YORK 14222

Manner of Service: PERSONAL / INDIVIDUAL

Date & Time:

NOVEMBER 27, 2023 // 7 41 pm

Documents:

SUMMONS FOR PERSONAL SERVICE OUTSIDE THE STATE OF MISSOURI (Except Attachment Action), COMPLAINT FOR

DAMAGES and EXHIBIT 1

41 Scheimerhorn Street Suite 318

Brooklyn, NY 11201 800 695-7480

Subscribed and sworn to before me by the affiant who is

Date

ARLETTE SIMMONS

Notary Public State of New York

No 01515162427

Qualified in New York County

My Commission Expires November 05 2024



Judge or Division: ELIZABETH BYRNE HO	GAN	Case Number: 2322-CC09423	
Plaintiff/Petitioner: MARC BRANDAN ELLIC	T	Plaintiff's/Petitioner's Attorney/Address: MARC BRANDAN ELLIOT 5655 PERSHING AVE APT 529	
	VS.	ST LOUIS, MO 63112	
Defendant/Respondent: HBO HOME ENTERTAIN Nature of Suit:	MENT CORP	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD	,
CC Other Tort		SAINT LOUIS, MO 63101	
			(Date File Stamp)
ALIAS	•	sonal Service Outside the State of I	
		xcept Attachment Action)	
The State of Missouri to:	JEHANE NOJAIME Alias:		
14 E 4TH ST UNIT 1107 NEW YORK, NY 10002			
COURT SEAL OF	which is attached, and the plaintiff/petitioner at the you, exclusive of the date.	appear before this court and to file your pleading serve a copy of your pleading upon the attom above address all within 30 days after service by of service. If you fail to file your pleading, just relief demanded in this action.	erney for the e of this summons upon dgment by default will be
CITY OF ST LOUIS	December 1	1,2023 Thomas /ll	seppenger
	Date Further Information:	, σ	ierk (7
	Officer's	or Server's Affidavit of Service	
2. My official title is3. I have served the a delivering a co	above Summons by: (check py of the summons and pet	as within the state or territory where the above summone of Count one) tition to the defendant/respondent. on at the dwelling house or usual place of abode of	tty, (state).
with		, a person at least 18 years of age residing the	erein.
		copy of the summons and petition to(name)	
in	County	(state), on(date	e) at (address)
	County,	(State), on(date	s) at (une).
Printed Nar	I am: (check one)	Signature of before me this (day) ne clerk of the court of which affiant is an officer. ne judge of the court of which affiant is an officer. uthorized to administer oaths in the state in which tummons. (use for out-of-state officer) uthorized to administer oaths. (use for court-appoir Signature an	the affiant served the above
		Signature an	u Tiuc

Case 1:24-cv-07879-JPC-KHP Document 1-1 Filed 12/15/23 Page 50 of 65

Service Fee	S	
Summons	\$	
Non Est	\$	
Mileage	\$ (
Total	\$	
	See the following page for directions to officer making return on service of summons.	

Directions to Officer Making Return on Service of Summons

A copy of the summons and petition must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and petition when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and petition and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and petition personally to the individual or by leaving a copy of the summons and petition at the individual's dwelling house or usual place of abode with some person at least 18 years of age residing therein, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed guardian, by delivering a copy of the summons and petition to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and petition to an officer, partner, or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

Service may be made by an officer or deputy authorized by law to serve process in civil actions within the state or territory where such service is made.

Service may be made in any state or territory of the United States. If served in a territory, substitute the word "territory" for the word "state."

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Judge or Division: ELIZABETH BYRNE HC	GAN	Case Number: 2322-CC09423		
Plaintiff/Petitioner: MARC BRANDAN ELLIC		Plaintiff's/Petitioner's Attorney/A MARC BRANDAN ELLIOT 5655 PERSHING AVE APT 529 ST LOUIS, MO 63112	ddress:	
Defendant/Respondent:		Court Address:		
HBO HOME ENTERTAIN Nature of Suit:	NIVIENT CORP	CIVIL COURTS BUILDING 10 N TUCKER BLVD		
CC Other Tort		SAINT LOUIS, MO 63101		
ΔΙΙΔ	S Summons for Par	sonal Service Outside the		e File Stamp)
		xcept Attachment Action)	State of Missouri	•
The State of Missouri to:	KARIM AMER			
14 E 4TH ST UNIT 1107	Alias:			
NEW YORK, NY 10002				
COURT SEAL OF		appear before this court and to file to serve a copy of your pleading u		tion, copy of
		above address all within 30 days		nons upon
	you, exclusive of the da	ay of service. If you fail to file your		
	taken against you for th	ne relief demanded in this action.	0 11/1 .	•
CITY OF ST LOUIS	December '	1, 2023	mas Kloeppinge	<u>ر</u>
	Date Further Information:		Clerk U	
		<u> </u>		
l certify that:	Officer's	or Server's Affidavit of Service		
•	serve process in civil action	ns within the state or territory where th	e above summons was serve	ed .
My official title is		of	County,	(state).
	above Summons by: (check	one) tition to the defendant/respondent.	,	•
leaving a copy	of the summons and petition	on at the dwelling house or usual place	e of abode of the defendant/i	respondent
with		, a person at least 18 years of ag	e residing therein.	•
	a corporation) delivering a	copy of the summons and petition to (name)		(title)
				(address)
		(state), on		
	-	_ : :		,
	me of Sheriff or Server		Signature of Sheriff or Server	
		before me this (day) _	(month)	(уеаг).
	• • • • •	ne clerk of the court of which affiant is ne judge of the court of which affiant is		
(On all)		uthorized to administer oaths in the s		ed the above
(Seal)	s	ummons. (use for out-of-state officer)	i	
	∐ a	uthorized to administer oaths. (use fo	,	
			Signature and Title	

MISSOURI CIRCUIT COFRICTION TWENTY-SECOND JUDICIAL CIRCUIT

(City of St. Louis)

MARC ELLIOT

VS

HBO	HOME BATBATHINMENT CORP.	, JEMANIE NUVTAIN KAMM AMER, THE OTHERS LLZ THE OTHERS	<u>.</u>
	,	LICENSING CORP, THE SQUARE UL, ISABELLA CONSTANTINO	- つ.
	CASE NO. 2322-CC09423	DIVISION 1	

ORDER/JUDGEMENT/MEMORANDUM

PLAINTIFF'S REQUEST	
I'M REQUESTING TO REISSUE THE SUMMENS FOR I	JEHANE NOUTHIM, KARIM
AMER AND THE SQUARE LLC. FOR JEHANE NOUSAW	
PROCESS SERVER SERVED THE LAST KNOWN ADDRESS	BUTTHEY NO LONGER LIVE THER
I SUBMITTED THE AFFIDAVITS OF NON SERVICE TO	
TIME TO LOCATE TITEM.	
REGARDING THE SQUARE LLL, THE PROCESS SERVE	ER, SERVED THE LLL THROUGH
THE MY SECRETARY OF STATE BUT I JUST FO	
SUFFICE. I'M REQUESTING MORE TIME TO	
AGENT. I DID SUBMIT THE AFFIDANT FOTHE COU	NT FURTHE SUMMONS
SUBMITTED THROUGH THE NY SELVETHRY OF SZ	TATE.
THANK YOU.	
	MARCELLIO7
1	16 101
	Many ly
Form 14 (Pay 2/06)	· · · · · · · · · · · · · · · · · · ·

Ca	ase 1:24-cv-07879-JPC-KHP	Document 1-1	Filed 12/15/23	Page 53 of 65		
Service Fees	S		· · ·			
Summons	\$					
Non Est	\$					
Mileage	\$(miles @ \$	per mile)			
Total	\$					
See the following page for directions to officer making return on service of summons.						

Directions to Officer Making Return on Service of Summons

A copy of the summons and petition must be served on each defendant/respondent. If any defendant/respondent refuses to receive the copy of the summons and petition when offered, the return shall be prepared accordingly so as to show the offer of the officer to deliver the summons and petition and the defendant's/respondent's refusal to receive the same.

Service shall be made: (1) On Individual. On an individual, including an infant or incompetent person not having a legally appointed guardian, by delivering a copy of the summons and petition personally to the individual or by leaving a copy of the summons and petition at the individual's dwelling house or usual place of abode with some person at least 18 years of age residing therein, or by delivering a copy of the summons and petition to an agent authorized by appointment or required by law to receive service of process; (2) On Guardian. On an infant or incompetent person who has a legally appointed quardian, by delivering a copy of the summons and petition to the guardian personally; (3) On Corporation, Partnership or Other Unincorporated Association. On a corporation, partnership or unincorporated association, by delivering a copy of the summons and petition to an officer, partner. or managing or general agent, or by leaving the copies at any business office of the defendant/respondent with the person having charge thereof or by delivering copies to its registered agent or to any other agent authorized by appointment or required by law to receive service of process; (4) On Public or Quasi-Public Corporation or Body. Upon a public, municipal, governmental or quasi-public corporation or body in the case of a county, to the mayor or city clerk or city attorney in the case of a city, to the chief executive officer in the case of any public, municipal, governmental, or quasi-public corporation or body or to any person otherwise lawfully so designated.

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Judge or Division: ELIZABETH BYRNE HOGAN	Case Number: 2322-CC09423
Plaintiff/Petitioner: MARC BRANDAN ELLIOT	Plaintiff's/Petitioner's Attorney/Address: MARC BRANDAN ELLIOT 5655 PERSHING AVE APT 529 ST LOUIS, MO 63112
Defendant/Respondent: HBO HOME ENTERTAINMENT CORP Nature of Suit: CC Other Tort	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101 (Date File Stamp)
	ersonal Service Outside the State of Missouri Except Attachment Action)
The State of Missouri to: THE SQUARE LLC Alias: LISA WISLEY, RAGT 160 VAN BRUNT ST THIRD FL BROOKLYN, NY 11231 COURT SEAL OF You are summoned to which is attached, and plaintiff/petitioner at the you, exclusive of the control o	o appear before this court and to file your pleading to the petition, copy of d to serve a copy of your pleading upon the attorney for the ne above address all within 30 days after service of this summons upon day of service. If you fail to file your pleading, judgment by default will be the relief demanded in this action.
Officer'	s or Server's Affidavit of Service
 I am authorized to serve process in civil action My official title is	etition to the defendant/respondent. tion at the dwelling house or usual place of abode of the defendant/respondent, a person at least 18 years of age residing therein. a copy of the summons and petition to
other:	(name) (title).
Served at	(address)
inCounty, _	(state), on (date) at (time).
l am: (check one)	Signature of Sheriff or Server to before me this

Ca	se 1:24-cv-07879-JPC-KHP	Document 1-1	Filed 12/15/23	Page 55 of 65	
Service Fees	5				
Summons Non Est	\$				
Mileage	\$(miles @ \$	per mile)		
Total	\$	nines @ \$	per mile)		
	See the following page for dire	ections to officer making	return on service of sur	nmons.	

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AFFIDAVIT OF SERVICE

Case: 2322 CC09423	Court: 22ND JUDICIAL CIRCUIT	County: ES	9937440 PM 12: 18					
Plaintiff / Petitioner MARC BRANDAN ELL	: IOT	Defendant / Respondent: HBO HOME ENTERTAINMENT CORP.						
Received by:		FOI: MARC BRANDAN ELLIOT						
To be served upon:	TÍNO							

I ELVIN SINGLETON, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name:

ISABELLA CONSTANTINO

Address:

625 LAFAYETTE AVENUE, DUFFALO, NEW YORK 14222

Manner of Service: PERSONALY INDIVIDUAL

Date & Time:

NOVEMBER 27, 2023 // 7-41 pm

Documents:

SULMINONS FOR PERSONAL SERVICE OUTSIDE THE STATE OF MISSOURI (Except Attachment Action), COMPLAINT FOR

DAMAGES and EXHIBIT I

us. 4) Schermerhorn Street Suite 318 Brooklyn, NY 11201 E00 695-7480

Subscribed and sworn to before me by the official who is

Notary Public

Date

ARLETTE SIMMONS Notary Public State of New York No 01515162427 Qualified in New York County My Commission Expires November 05: 2024



Case: Court: PM-12: 18 County: 2322-CC09423 9937440 22ND JUDICIAL CIRCUIT ST. LOUIS, MO Plaintiff / Petitioner. Defendant / Respondent: MARC BRANDAN ELLIOT HBO HOME ENTERTAINMENT CORP. Received by: LLS MARC BRANDAN ELLIOT To be served upon: KARIM AMER

Rodrick Green, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name:

KARIM AMER

Address

14 E. 4th STREET APT: 1107, NEW YORK, NEW YORK 10012

Date & Time:

Manner of Service: NON - SERVICE / BAD ADDRESS: NOVEMBER 16, 2023 // 7:13 pm

Documents:

SUMMONS FOR PERSONAL SERVICE OUTSIDE THE STATE OF MISSOURI (Except Attachment Action), COMPLAINT FOR

DAMAGES and EXHIBIT 1

Additional Comments: As per building conclerge, no one by name is listed within building directory.

Subscribed and sworn to before me by the affiant who is

personally known to me.

LLS

41 Schermerhorn Street Suite 318

Brooklyn, NY 11201 800 695-7480

Notary Public

100rember 28,2023

Date

ARLETTE SIMMONS Notary Public, State of New York No 01515162427 Qualified in New York County My Commission Expires November 05, 2024



AFFIDAVIT OF SERVICE

Case: 2322-CC09423	Court: 22ND JUDICIAL CIRCUIT.	County: Job: 1112-10 ST. LOUIS, MO 9937440						
Plaintiff / Petitioner: MARC BRANDAN ELLIOT Received by: LLS		Defendant / Respondent: HBO HOME ENTERTAINMENT CORP. For: MARC BRANDAN ELLIOT						

I, MALCOLM NEWMAN, being duly sworn, depose and says lam over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name:

THE SQUARE LLC VIA NEW YORK SECRETARY OF STATE

Address:

99 WASHINGTON AVENUE, ALBANY NY 12201

Manner of Service: SECRETARY OF STATE

Time & Date:

NOVEMBER 17, 2023 / 10:56 am

Documents:

SUMMONS FOR PERSONAL SERVICE OUTSIDE THE STATE OF MISSOURI (Except Attachment Action), COMPLAINT FOR

DAMAGES and EXHIBIT 1 and \$40.00 STATE FILING FEE

MALCOLM NEWMAN

LLS 41 Schermerhorn Street Sulte 318 Brooklyn, NY 11201 800 695-7480

Subscribed and sworn to before me by the offiant who is personally known to me.

Notary Public

Date.

ARLETTE SIMMONS Notary Public, State of New York No: 01515162427 Qualified in New York County My Commission Expires November 05, 2024

AFFIDAVIT OF NON-SERVICE

Case: 2322-CC09423	Court: 22ND JUDICIAL CIRCUIT	County: 22 DE 1 Jobs PM 12: 18 ST. LOUIS, MO 9937440
Plaintiff / Petitioner MARC BRANDAN ELL		Defendant / Respondent: HBO HOME ENTERTAINMENT CORP.
Received by:		For MARC BRANDAN ELLIOT
To be served upon: JEHANE NOJAIM		

I, Rodrick Green, being duly sworn, depose and say: I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was effected, I was authorized by law to make service of the documents and informed said person of the contents herein

Recipient Name:

JEHANE NOJAIM

Address:

14 E. 4th STREET APT: 1107, NEW YORK, NEW YORK 10012

Date & Time:

Manner of Service: NON - SERVICE / BAD ADDRESS

NOVEMBER 16, 2023 // 7:13 pm

Documents:

SUMMONS FOR PERSONAL SERVICE OUTSIDE THE STATE OF MISSOURI (Except Attachment Action), COMPLAINT FOR

DAMAGES and EXHIBIT 1

Additional Comments: As per building concierge, no one by name is listed within building directory.

Subscribed and sworn to before me by the affiant who is personally known to me.

LLS

41 Schermerhorn Street Suite 318

Brooklyn, NY 11201 800 695-7480

Notary Publi

Date

ARLETTE SIMMONS. Notary Public, State of New York No: 01515162427 Qualified in New York County My Commission Expires November 05, 2024



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Judge of Division: ELIZABETH BYRNE HOGAN	Case Number: 2322-CC09423	12 PM 6: 18
Plaintiff/Petitioner: MARC BRANDAN ELLIOT	Plaintiff's/Petitioner's Attorney/Address MARC BRANDAN ELLIOT 5655 PERSHING AVE APT 529 ST LOUIS, MO 63112	
Defendant/Respondent: HBO HOME ENTERTAINMENT CORP Nature of Suit: CC Other Tort	Court Address: CIVIL: COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101	(Date File Stamp)

				Date File Stampy
ALIA	S Summons for Persona (Except	l Service Outside th Attachment Action)		
he State of Missouri to: ISA WISLEY, RAGT 60 VAN BRUNT ST THIRD F IROOKLYN, NY 11231	THE SQUARE LLC Alias:			
COURT SEAL OF	You are summoned to appear which is attached, and to serve plaintiff/petitioner at the above you; exclusive of the day of set taken against you for the relie	e a copy of your pleading address all within 30 day ervice. If you fail to file you	upon the attorney for the is after service of this sur ir pleading, judgment by	nmons upon . default will be
CITY OF ST LOUIS	December 1, 202	23	kmas /lloeppen,	res.
	Date Further Information:		Clerk C	
I certify that: 1. I am authorized to	serve process in civil actions within	rver's Affidavit of Servic the state or territory where of	the above summons was se	erved.
delivering a colling a copy with	bove Summons by: (check one) by of the summons and petition to of the summons and petition at the a corporation) delivering a copy of	the defendant/respondent. e dwelling house or usual pla person at least 18 years of a	age residing therein.	
other:				least liter
Served at				(address)
(n	a corporation) delivering a copy of	(state); on	(date) at	(time).
Printed Nam	ne of Sheriff or Server subscribed and sworn to before	me this (day)	Signature of Sheriff or Sen (month)	ver (year
(Seei)	l am: (check one) ☐ the clerk☐ the judge☐ authorize summor	of the court of which affiant of the court of which affiant and to administer oaths in the as, (use for out-of-state office and to administer oaths, (use	is an officer. (is an officer, state in which the affiant se er)	
			Signature and Title	

	Service Summo	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	\$																Aug Fi			
l., i	Non Est Mileage	C 200 100	\$ <u> </u>		Maryin Maryin		7			m	iles @	n s		Dé	er mil						ķ. Ţ.	
	Total	1歲多	<u>\$</u>	W.A.	7.7X-11	19,113	I.		Nor.				446									
	Page 1			See t	he foll	owing	page	for d	irectio	ns to	office	r ma	king	return	on s	ervic	of s	umm	ons.		હું કેઉંગ્રહે જેલ્લ	

Directions to Officer Making Return on Service of Summons

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The office making the service must swear an affidavit before the clerk, deputy clerk, or judge of the court of which the person is an officer or other person authorized to administer oaths. This affidavit must state the time, place, and manner of service, the official character of the affiant, and the affiant's authority to serve process in civil actions within the state or territory where service is made.

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Judge or Division ELIZABETH BYRNE HOGAN	Case Number: 2322-CC09423
Plaintiff/Petitioner: MARG BRANDAN ELLIOT: vs.	Plaintiff's/Petitioner's Attorney/Address: MARC BRANDAN ELLIOT 5655 PERSHING AVE APT 529 ST-LOUIS, MO 63112
Defendant/Respondent HBO HOME ENTERTAINMENT CORP Nature of Suit: GC Other Tort	Court Address: CIVIL COURTS BUILDING 10 N TUCKER BLVD SAINT LOUIS, MO 63101
ALIAS Summons for Pa	(Date File Stamp rsonal Service Outside the State of Missouri
	except Attachment Action)
plaintiff/petitioner at the you, exclusive of the d	to serve a copy of your pleading upon the attorney for the e above address all within 30 days after service of this summons upon ay of service. If you fall to file your pleading, judgment by default will be relief demanded in this action. 1, 2023
Further Information:	Ulaik V
I certify that: 1. I am authorized to serve process in civil action 2. My official title is	or Server's Affidavit of Service ns within the state or territory where the above summons was served. of
delivering a copy of the summons and petitic leaving a copy of the summons and petitic with (for service on a corporation) delivering a	tition to the defendant/respondent. on at the dwelling house or usual place of abode of the defendant/respondent a person at least 18 years of age residing therein. copy of the summons and petition to (name)
other:	
Served at	(address (state), on (date) at (time
in Gounty,	(state), on (date) at(time
l am. (check one) □ tl □ tl □ a	Signature of Sheriff or Server before me this (day) (month) (ye he clerk of the court of which affiant is an officer, he judge of the court of which affiant is an officer.
	authorized to administer oaths in the state in which the affiant served the above summons, (use for out-of-state officer)
	authorized to administer paths in the state in which the affiant served the abov

MISSOURI CIRCUIT COURT TWENTY-SECOND JUDICIAL CIRCUIT (CITY OF ST, LOUIS)

MARC ELLIOT

Plaintiff(s) / Petitioner(s)

v.

HBO HOME ENTERTAINMENT CORP. a Delaware corporation; JEHANE NOUJAIME, an individual; KARIM AMER, an individual; THE OTHRS, LLC, a Florida limited liability company; THE OTHRS LICENSING CORP., a Florida corporation; The Square, LLC, a New York limited liability company; ISABELLA CONSTANTINO, an individual; JOHN DOES 1-10

Defendant(s) / Respondent(s)

Case No.: 2322-CCO9423

AFFIDAVIT OF SERVICE

I, RICHARD CECCE, being duly sworn, state:

I am 18 years or older and not a party to this action or a member of a corporation or organization that is a party to this action.

I served the following documents to The Square LLC in Delaware County, NY on December 6, 2023 at 1:13 pm at 74 Main St, Delhi, NY 13753 by personal service by handing the following documents to an individual identified as The Square LLC.

Alias Summons, Complaint, and Exhibits

Additional Description:

Lisa Wisely was personally served 12/06 at 1:13 pm. She is white, female, 54 years old, 5'06", 150 lbs, brown hair, glasses, no military.

White Female, est. age 54, glasses: Y, Brown hair, 140 lbs to 160 lbs, 5' 3" to 5' 6".

Photograph: See Exhibit 1

Signature

Name:RICHARD CECCE Phone:607-434-6173 Subscribed and sworn to before me this 8th day of

December , 2023 , by

RICHARD CECCÉ

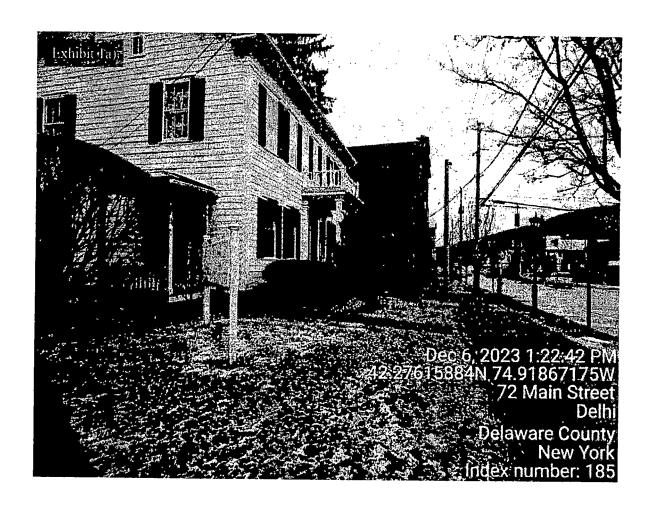
Witness my hand and official scal.

Sancecce

Notary Public

My commission expires: 09/08/2027

SARA CECCE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01CE6330110
Qualified in Delaware County
My Commission Expires September 08, 2027



Proof Job #411783